

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**WASTE MANAGEMENT OF
NEW JERSEY, INC.,**

Plaintiff,

v.

**TEAMSTERS-EMPLOYERS LOCAL,
945 PENSION FUND, ET AL.,**

Defendants.

Civil Action No. 10-3984 (FSH)

**ORDER ON INFORMAL
APPLICATION**

This matter having come before the Court for a Rule 16 conference on December 2, 2010;
and the parties advising the Court that the delinquent contribution arbitration is scheduled
for January 13, 2011 and January 26, 2011 and will take place under the 2007 agreement;

and the parties advising the Court that a request to arbitrate the withdrawal liability issue
was made in November 2010 and may not be resolved for six months;

and the parties seeking time to review and discuss whether that they will both agree to
proceed under the 2007 agreement without further challenges to doing so in this case, dispensing
with discovery in this case, agreeing to the entry of a final judgment after a final ruling
concerning the collateral estoppel effect of the delinquent contribution arbitration on the
withdrawal liability arbitration;

and if the parties adopt this approach, no discovery will be needed;

and the Court directing the parties to submit a letter either seeking a briefing schedule, if
the aforementioned approach is adopted, or requesting to reconvene the Rule 16 conference to set

a schedule for the exchange of discovery concerning whether the plaintiff was bound to proceed under the 2009 agreement;

and for the reasons discussed during the conference;

and for good cause shown,

IT IS ON THIS 2nd day of December, 2010

ORDERED that, no later than **December 16, 2010**, the parties shall submit a joint letter that either requests that the Court reconvene the Rule 16 conference or states that the parties have agreed to proceed under the 2007 agreement without further challenges to doing so in this case, dispensing with discovery in this case, agreeing to the entry of a final judgment after a final ruling concerning the collateral estoppel effect of the delinquent contribution arbitration on the withdrawal liability arbitration and proposing a briefing schedule, together with a proposed order.

s/Patty Shwartz
UNITED STATES MAGISTRATE JUDGE